

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BRIAN LEROY GEORGE,

ID #1505430,

Petitioner,

vs.

RICK THALER, Director,

Texas Department of Criminal

Justice, Correctional Institutions Division,

Respondent.


No. 3:12-CV-4283-M (BH)

**ORDER OF THE COURT ON RECOMMENDATION REGARDING
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL**

Considering the record in this case and the recommendation of the U.S. Magistrate Judge, the Court hereby finds and orders:

The request for leave to proceed *in forma pauperis* on appeal is **DENIED** as **MOOT** because the Fifth Circuit Court of Appeals dismissed petitioner's appeal for want of prosecution on March 22, 2013, for failure to either pay the docketing fee or to follow this Court's order to provide a signed certificate of trust account.

DATE: May 8, 2013.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS